

CHARTER TOWNSHIP OF DELTA
Public Meeting Room A
Delta Township Administration Building
7710 West Saginaw Highway
Lansing MI 48917

**TOWNSHIP BOARD REGULAR MEETING MINUTES FOR
MONDAY, MAY 18, 2015**

I. CALL TO ORDER

Supervisor Fletcher called the meeting to order at 6:00 PM.

II. OPENING CEREMONIES – Pledge of Allegiance

III. ROLL CALL

Members Present: Supervisor Ken Fletcher, Treasurer Howard Pizzo, Clerk Mary R. Clark, Trustee Dennis Fedewa, Trustee Jeff Hicks, and Trustee Karen Mojica

Members Absent: Trustee Douglas Kosinski

Others Present: Acting Manager Jeff Anderson, Lt. Wriggelsworth, Assistant Community Development Department Director Gary Bozek, Assessing Department Director Brian Thelen, Chief Clark, Assistant Chief Roman

TRUSTEE FEDEWA MOVED TO EXCUSE TRUSTEE KOSINSKI FROM THE MAY 18, 2015 REGULAR BOARD MEETING.

TRUSTEE HICKS SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

IV. PRESENTATIONS AND PROCLAMATIONS –

1. Fire Department Badge Pinning and Oath of Office

New Hire – Kevin Zimmerman

Chief Clark stated that Mr. Zimmerman was a part time employee of the Delta Township Fire Department, and was recently hired as a full time employee to fill a vacancy.

2. Life Saving Awards

- a. James Eastridge
- b. Allana Eastridge
- c. Brenden Eastridge

Chief Clark presented the lifesaving award to James, Allana, and Brenden Eastridge for their quick actions and contacting emergency personnel to help their mother when she required medical assistance.

V. SET/ADJUST AGENDA

TRUSTEE HICKS MOVED TO APPROVE THE AGENDA AS PRESENTED.

TREASURER PIZZO SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

VI. PUBLIC HEARINGS – NONE

VII. COMMUNICATIONS

VIII. PUBLIC COMMENTS FOR ITEMS NOT ON AGENDA *(maximum two minutes)*

IX. INTRODUCTION OF ORDINANCES

3. Introduction of the Pribble Rezoning Request for 10174 Woodland Acres Drive, Case No. 4-15-5

TRUSTEE MOJICA MOVED THAT THE DELTA TOWNSHIP BOARD INTRODUCE THE PRIBBLE REQUEST AS DESCRIBED IN CASE NO. 4-15-5 TO REZONE 10.18 ACRES FROM RA, VERY LOW DENSITY RESIDENTIAL TO A2, AGRICULTURAL/RESIDENTIAL. I FURTHER MOVE THAT THE REZONING REQUEST SHALL BE CONSIDERED FOR FINAL ACTION BY THE TOWNSHIP BOARD AT THE JUNE 1, 2015 REGULAR MEETING. THE CLERK IS HEREBY DIRECTED TO PUBLISH NOTICE OF SAID MEETING IN THE LOCAL NEWSPAPERS AS IS REQUIRED.

TRUSTEE FEDEWA SUPPORTED THE MOTION.

Treasurer Pizzo asked for an update regarding this case from the Planning Commission meeting.

Mr. Bozek stated that the original request was a rezoning of ten acres by the Pribble family. Properties to the south and the west are zoned RA, very low density residential, properties to the north and the east are zoned A2, agricultural/residential. There were concerns from residents to the west and the south regarding this request; therefore, as a compromise, the Planning Commission recommended denial of the request for 10.18 acres, the alternative recommendation is for a five acre area in the northeast corner of the property. The purpose of the rezoning request is for keeping horses on the property, which is only allowed in the Township's agricultural districts. A request for rezoning of five acres will be presented to the Township Board on June 1, 2015 for final consideration.

THE MOTION PASSED 6-0.

X. PASSAGE OF ORDINANCES

XI. CONSENT AGENDA –

TREASURER PIZZO MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED.

TRUSTEE MOJICA SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO, TRUSTEE FEDEWA, TRUSTEE MOJICA, AND TRUSTEE HICKS.

NAYS: NONE

ABSENT: TRUSTEE KOSINSKI

THE MOTION PASSED 6-0.

4.	Bills and Financial Transactions	\$	925,436.25
	Bond/Debt Payments		750.00
	Investments		
	Payroll & Related		315,444.75
	Refunds		25,647.09
	Tax Distributions		
	Vendor Claims		583,594.41
	Total	\$	925,436.25

TREASURER PIZZO MOVED TO APPROVE THE BILLS AND FINANCIAL TRANSACTIONS IN THE AMOUNT OF \$925,436.25.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

5. Minutes –

May 11, 2015 Committee of the Whole Meeting Minutes

TREASURER PIZZO MOVED TO APPROVE THE MAY 11, 2015 COMMITTEE OF THE WHOLE MEETING MINUTES.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

XII. ITEMS REMOVED FROM CONSENT AGENDA FOR DISCUSSION – NONE.

XIII. ITEMS ADDED TO AGENDA UNDER SECTION V. SET/ADJUST AGENDA

XIV. ITEMS OF BUSINESS

6. Review and Approval of the Application for Apple Blossom Lane Private Road Extension

Mr. Bozek stated that the owner is requesting to split off an area to serve as an additional metes and bounds parcel. A new parcel requires access from a private road. The Township's private road regulations mandate that the private road be designed and constructed in accordance with certain design standards, and that it be reviewed and approved, as is applicable, by the Township Engineering Division, the Fire Department, the Utility Department, and the Eaton County Drain Commissioner's Office. The Township Engineering Division and the Fire Department have already given approval on this project.

TRUSTEE HICKS MOVED THAT DELTA TOWNSHIP BOARD OF TRUSTEES GRANT A PRELIMINARY PRIVATE ROAD PERMIT TO MR. TIMOTHY LEA FOR THE CONSTRUCTION OF A PRIVATE ROAD, BEING AN EASTERLY EXTENSION OF APPLE BLOSSOM LANE, AS ILLUSTRATED ON A PLAN PREPARED BY LSG ENGINEERS & SURVEYORS AND DATED APRIL 22, 2015 FOR PARCEL NO. 040-019-300-208-00, IN SECTION 19 OF DELTA TOWNSHIP. THE GRANTING OF THE PRELIMINARY PRIVATE ROAD PERMIT IS SUBJECT TO THE FOLLOWING STIPULATIONS:

1. APPROVAL OF THE ROAD BY THE EATON COUNTY DRAIN COMMISSIONER'S OFFICE.
2. IF REQUIRED, A NEW ROAD NAME SHALL BE APPROVED BY THE TRI-COUNTY REGIONAL PLANNING COMMISSION AND THE EATON COUNTY CENTRAL DISPATCH, AS REQUIRED BY SECTION 15.5-65 OF THE DELTA TOWNSHIP CODE OF ORDINANCES.
3. APPROVAL FOR THE PROPOSED LAND DIVISION SHALL BE OBTAINED FROM THE TOWNSHIP PLANNING DIVISION AND ASSESSING DEPARTMENT.
4. FAILURE OF THE APPLICANT TO COMPLY WITH ANY OF THE PROVISIONS REQUIRED BY THE DELTA TOWNSHIP CODE OF ORDINANCES PERTAINING TO THE PRIVATE ROAD, AND/ OR APPLICABLE SECTIONS OF

THE TOWNSHIP ZONING ORDINANCE, OR ANY STIPULATIONS HEREIN REQUIRED BY THE DELTA TOWNSHIP BOARD, SHALL CONSTITUTE GROUNDS FOR TERMINATION OF THIS PRELIMINARY PRIVATE ROAD PERMIT BY THE DELTA TOWNSHIP BOARD.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

7. Recommendation to Accept the Request for the Waiver of Lien, Deed of Grant and Easement Grant from D&K Truck Company

CLERK CLARK MOVED THAT THE DELTA CHARTER TOWNSHIP BOARD ACCEPT THE WAIVER OF LIEN, DEED OF GRANT, AND EASEMENT GRANT EXECUTED BY D&K TRUCK COMPANY THE PUBLIC WATER MAIN FACILITIES INSTALLED ON THE D&K TRUCK COMPANY FACILITY SITE LOCATED AT 3020 SNOW ROAD IN SECTION 26 OF DELTA TOWNSHIP. FURTHER, THAT SAID FACILITIES BE ACCEPTED INTO THE DELTA TOWNSHIP PUBLIC WATER DISTRIBUTION SYSTEM.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

8. Recommendation to Accept the Request for the Waiver of Lien, Deed of Grant and Easement Grant from Eaton Senior Leasing, LLC

TRUSTEE FEDEWA MOVED THAT THE DELTA CHARTER TOWNSHIP BOARD ACCEPT THE WAIVER OF LIEN, DEED OF GRANT, AND EASEMENT GRANT EXECUTED BY EATON SENIOR LEASING, LLC FOR THE PUBLIC WATER MAIN FACILITIES INSTALLED ON THE CIENA REGENCY AT LANSING SKILLED NURSING FACILITY SITE LOCATED AT 12200 BROADBENT ROAD IN SECTION 9 OF DELTA TOWNSHIP. FURTHER, THAT SAID FACILITIES BE ACCEPTED INTO THE DELTA TOWNSHIP PUBLIC WATER DISTRIBUTION SYSTEM.

TRUSTEE HICKS SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

9. Recommendation to Set a Public Hearing for the New Tax Abatement Application for Woodbridge Ventures Inc.

Mr. Thelen stated that this request by Woodbridge Ventures, Inc. for personal property. Woodbridge Ventures Inc. currently supports the GM Lansing Grand River plant on their manufacturing of the Alpha program, which produces all variations of the Cadillac CTS and Cadillac STS. Woodbridge assembles the rear suspension, power train dress and front module assemblies.

TREASURER PIZZO MOVED THAT THE DELTA TOWNSHIP BOARD ACCEPT THE FOLLOWING RESOLUTION:

BE IT RESOLVED THAT A PUBLIC HEARING WILL BE HELD ON THE 1ST DAY OF JUNE, 2015, AT 6:00 P.M., IN ROOM A OF THE ADMINISTRATION BUILDING, 7710 WEST SAGINAW HIGHWAY, LANSING, MICHIGAN, TO CONSIDER AN APPLICATION BY WOODBRIDGE VENTURES INC. FOR AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE FOR A TOTAL INVESTMENT IN PERSONAL PROPERTY COSTS OF \$5,972,000 IN THE LARGE INDUSTRIAL DEVELOPMENT DISTRICT PURSUANT TO P.A. 198 LEGALLY DESCRIBED AS:

A PARCEL OF LAND IN THE NORTHEAST ¼ AND THE NORTHWEST ¼ OF SECTION 26, T4N, R3W, DELTA TOWNSHIP, EATON COUNTY, MICHIGAN DESCRIBED AS: BEGINNING AT THE NORTH ¼ CORNER OF SECTION 26; THENCE N89°55'24"E 861.98 FEET; THENCE S00°01'39"W 660.00; THENCE N89°55'25"E 462 FEET; THENCE S00°01'39"W 1987.28 FEET; THENCE S89°46'28"W 1324.64 FEET; THENCE N89°53'37"W 1383.08 FEET; THENCE N00°00'21"E 402.57 FEET; THENCE S89°54'29"E 1052.50 FEET; THENCE N00°02'13"E 922.48 FEET; THENCE S89°54'03"E 330.90 FEET; THENCE N00°02'29"E 1325.37 FEET TO THE POINT OF BEGINNING. CONTAINING 93.33 ACRES, MORE OR LESS.

BE IT FURTHER RESOLVED THAT THE TOWNSHIP CLERK GIVE NOTICE OF THE HEARING IN ACCORDANCE WITH THE MICHIGAN OPEN MEETINGS ACT, AND

BE IT FINALLY RESOLVED THAT A COPY OF THE PROPOSED APPLICATION BE PLACED ON FILE WITH THE DELTA TOWNSHIP CLERK AVAILABLE FOR REVIEW.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

10. Referral of the Redwood Acquisition, LLC Rezoning Request to the Planning Commission for the Purpose of Holding a Public Hearing in Case No. 5-15-6

Mr. Bozek stated that Redwood Group is proposing an adult oriented housing development of 162 attached units at the southwest corner of I-96 and Willow Highway.

CLERK CLARK MOVED THAT THE DELTA TOWNSHIP BOARD REFER THE REDWOOD ACQUISITION, LLC REQUEST TO REZONE THE PROPERTY DESCRIBED IN CASE NO. 5-15-6 FROM RA, VERY LOW DENSITY RESIDENTIAL, AND A2, AGRICULTURAL/RESIDENTIAL, TO RD, MEDIUM RESIDENTIAL, TO THE PLANNING COMMISSION FOR THE PURPOSES OF HOLDING A PUBLIC HEARING ON THE MATTER AND SUBMITTING A RECOMMENDATION TO THE TOWNSHIP BOARD.

TRUSTEE FEDEWA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

11. Resolution to Refund 2006 General Obligation Limited Tax Bonds

Mr. Anderson stated that the bonds issued in 2006 to refurbish the water system became eligible for refunding. Working with our Registered Municipal Advisors, Bendzinski & Co. we have analyzed potential interest cost savings from refunding this 2006 issue. Based in the current market environment, we estimate to realize approximately \$400,000 in savings over the remaining 10 years of the bonds (based on a refunding interest rate of 2%).

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD OF THE CHARTER TOWNSHIP OF DELTA ADOPT THE ATTACHED RESOLUTION TO AUTHORIZE AND PROVIDE FOR THE ISSUANCE OF GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS TO PAY THE COST OF REFUNDING THE 2006 GO LIMITED TAX BONDS ORIGINALLY ISSUED TO PROVIDE IMPROVEMENTS TO THE DELTA TOWNSHIP WATER SUPPLY SYSTEM.

RESOLUTION AUTHORIZING ISSUANCE AND SALE OF
GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2015

A RESOLUTION TO APPROVE:

- Net Present Value Savings through issuing Bonds to refund Bonds previously issued by the Township;
- Township Officials authorized to sell Bonds without further Township Board action if savings result;
- Other matters necessary to sell and deliver the Bonds.

WHEREAS, the Charter Township of Delta, County of Eaton, State of Michigan (the “Township”) issued its Limited Tax General Obligation Bonds, Series 2006 dated as of March 1, 2006 (the “Prior Bonds”) for the purpose of financing various capital improvements to the Township’s water supply system; and

WHEREAS, Bendzinski & Co., Registered Municipal Advisors with the Municipal Securities Rulemaking Board (the “Municipal Advisor”) has advised the Township that the current conditions in the bond market could permit all or a portion of the Prior Bonds to be refunded at a significant savings; and

WHEREAS, the Revised Municipal Finance Act, Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”) permits the Township to issue refunding bonds for the purpose of refunding all or any part of the outstanding securities of the Township if the refunding would result in net present value savings; and

WHEREAS, the Township Board wishes to authorize either the Finance Director or the Township Manager (each, an “Authorized Officer”) to sell and deliver and receive payment for the proposed issue of bonds without the necessity of the Township Board taking further action.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Bond Details. If, upon the advice of the Municipal Advisor, refunding all or a portion of the Prior Bonds would accomplish a net savings of debt service costs, then Bonds of the

Township designated as the GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2015 (the “Bonds”) shall be issued in the aggregate principal amount of not to exceed Four Million Seven Hundred Thousand Dollars (\$4,700,000) for the purposes of refunding all or a portion of the Prior Bonds and paying the legal, financial and other expenses incident thereto. If the Bonds are sold or delivered after December 31, 2015 then the Authorized Officer may change the series designation of the Bonds to reflect the year in which the Bonds will be sold or delivered.

The principal of the Bonds shall be payable at the designated office of The Huntington National Bank or other bank or trust company to be designated by the Authorized Officer as registrar and transfer agent for the Bonds (the “Transfer Agent”), provided that by agreement with the initial purchaser of the Bonds, the Township Treasurer’s office may act as the Transfer Agent. The Bonds shall be dated as of the date of delivery thereof or such other date as may be determined at the time of sale of the Bonds, and numbered as determined by the Transfer Agent. The Bonds shall be registered as to principal and interest and shall be in the denomination of \$5,000 or integral multiples of \$5,000 not exceeding for each maturity the maximum principal amount of such maturity, or, if acceptable to the purchaser of the Bonds, may be issued in the form of a single fully-registered, nonconvertible bond of the denomination of the principal sum issued. At the discretion of the Authorized Officer in consultation with bond counsel, the Bonds may be issued in the denomination of \$100,000 or any integral multiple of \$5,000 in excess of \$100,000 not exceeding for each maturity the maximum principal amount of such maturity. The Bonds may be issued in book-entry-only form through The Depository Trust Company in New York, New York (“DTC”), and the Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form and to make such changes in the form of the Bonds within the parameters of this Resolution as may be required to accomplish the foregoing.

The Bonds shall mature on May 1st as serial bonds or term bonds on the dates and in the amounts as shall be determined at the time of sale of the Bonds, provided however that the final maturity date for the Bonds shall not exceed the final maturity date of the Prior Bonds. The Bonds shall bear interest at a rate or rates to be determined at the time of sale of the Bonds, payable semi-annually on November 1st and May 1st of each year beginning on such initial interest payment date as shall be determined at the time of sale of the Bonds, by check drawn on the Transfer Agent mailed to the registered owner at the registered address, as shown on the registration books of the Township maintained by the Transfer Agent. Interest shall be payable to the registered owner of record as of the fifteenth day of the month prior to the payment date for each interest payment. The date of determination of the registered owner for purposes of payment of interest as provided in this paragraph may be changed by the Township to conform to market practice in the future. The principal of the Bonds shall be payable at the corporate trust office of the Transfer Agent upon presentation and surrender of the appropriate bond. Notwithstanding the foregoing, if the Bonds are held in book-entry form by DTC, payment shall be made in the manner prescribed by DTC.

The Authorized Officer is authorized to execute an agreement with the Transfer Agent on behalf of the Township. The Township may designate a new Transfer Agent by notice mailed to the registered owner of each of the Bonds at such time outstanding not less than sixty (60) days prior to an interest payment date.

The Authorized Officer is authorized to execute such custodial or other agreement with DTC as may be necessary to accomplish the issuance of the Bonds in book-entry-only form.

The Bonds shall be subject to optional redemption prior to maturity, if at all, as determined at the time of sale of the Bonds. If term bonds are issued, the Bonds shall be subject to mandatory redemption prior to maturity as determined at the time of sale of the Bonds. Unless waived by any registered owner of bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the Township and shall conform to the requirements set forth in the form of Bond. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where bonds called for redemption are to be surrendered for payment; and that interest on bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

The Bonds shall be executed in the name of the Township with the manual or facsimile signatures of the Supervisor and the Township Clerk, and the corporate seal of the Township shall be manually impressed or a facsimile thereof shall be printed on the Bonds. No Bond authorized under this resolution shall be valid until authenticated by an authorized representative of the Transfer Agent, unless the purchaser thereof does not require the Bonds to be authenticated. If the Bonds are not authenticated, then at least one signature on the Bonds shall be a manual signature. The Bonds shall be delivered to the Transfer Agent for authentication (if applicable) and be delivered by the Transfer Agent (if Bonds are authenticated) to the purchaser or other person in accordance with instructions from the Authorized Officer upon payment of the purchase price for the Bonds in accordance with the Bond Purchase Agreement for the Bonds. Executed blank bonds for registration and issuance to transferees shall simultaneously, and from time to time thereafter as necessary, be delivered to the Transfer Agent for safekeeping.

2. Full Faith and Credit Pledge. The Township intends to pay the principal and interest of the Bonds from water system rates and charges and other revenues received by the Township from the operations of the Township's water supply system. In the event of the insufficiency of water system revenues, the Township expressly and irrevocably pledges its full faith and credit for the prompt and timely payment of the principal of and interest on the Bonds. The Bonds shall be payable, as a first budget obligation, from the general fund of the Township, and the Township shall levy annually ad valorem taxes on all the taxable property in the Township which, taking into consideration estimated delinquencies in tax collections, shall be fully sufficient to pay the principal and interest on the Bonds provided, however, that if at the time of making any such tax levy there shall be other legally available funds, such as water system revenues, for the payment of principal of and interest on the Bonds, then credit therefor may be taken against the levy for payment of the Bonds. The levy shall be subject to constitutional, statutory and charter tax rate limitations.

3. Bond Form. The Bonds shall be substantially in the following form with such changes as may be necessary to conform the Bonds to the final terms of sale.

[FORM OF BOND TO BE COMPLETED AFTER BOND SALE]

[THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED OR THE MICHIGAN UNIFORM SECURITIES ACT, AS AMENDED IN RELIANCE UPON EXEMPTION THEREUNDER. ANY RESALE OR OTHER TRANSFER OF THIS BOND MAY BE MADE ONLY UPON REGISTRATION UNDER SUCH ACTS OR IN AN EXEMPT TRANSACTION UNDER SUCH ACTS AND UPON COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN AND MAY BE OFFERED AND SOLD ONLY IF REGISTERED PURSUANT TO THE PROVISIONS OF THOSE ACTS OR IF AN EXEMPTION FROM REGISTRATION IS AVAILABLE.]

UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF EATON

CHARTER TOWNSHIP OF DELTA
LIMITED TAX GENERAL OBLIGATION REFUNDING BOND, SERIES 2015

<u>Interest Rate</u>	<u>Date of Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
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Registered Owner:

Principal Amount:

The CHARTER TOWNSHIP OF DELTA, County of Eaton, State of Michigan (the “Township”), acknowledges itself to owe and for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, [unless prepaid prior thereto as hereinafter provided,] with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on [date] and semiannually thereafter. Principal of this bond is payable upon presentation and surrender hereof at the designated corporate trust office of [Transfer Agent], Michigan, or such other transfer agent as the Township may hereafter designate by notice mailed to the registered owner of record not less than sixty (60) days prior to any interest payment date (the “Transfer Agent”). Interest on this bond is payable by check or draft mailed by the Transfer Agent to the person or entity who or which is as of the fifteenth (15th) day of the month prior to each interest payment date, the registered owner of record, at the registered address.

This bond is one of a total authorized issue of bonds of even Date of Original Issue aggregating the original principal sum of [amount], issued under and in full compliance with the Constitution and statutes of the State of Michigan, including specifically Act 34, Public Acts of Michigan,

2001, as amended, and a resolution of the Township Board adopted on [date], 2015, for the purposes of refunding certain outstanding bonds of the Township.

The limited tax full faith, credit and resources of the Township are pledged for the payment of these bonds, and the Township has pledged that it shall pay the principal of and interest on these bonds as they mature as a first budget obligation from its general fund and, after taking into account funds which the Township may have legally available for payment of principal of and interest on these bonds, shall levy annually ad valorem taxes on all taxable property in the Township sufficient to pay the principal of and interest on these bonds subject to applicable constitutional, statutory and charter tax rate limitations.

Bonds of this issue [maturing on or prior to [date]] are not subject to redemption prior to maturity.

[Bonds or portions of bonds in multiples of \$5,000 of this issue maturing on or after [date] shall be subject to redemption prior to maturity, at the option of the Township, in such order as the Township shall determine and within any maturity by lot, on any date on or after [date], at par plus accrued interest to the date fixed for redemption.]

**[MANDATORY REDEMPTION PROVISIONS
TO BE ADDED IF TERM BONDS ARE SOLD]**

[Notice of redemption shall be given by the Transfer Agent to the registered owners of bonds or portions thereof to be redeemed by mailing such notice not less than thirty (30) days prior to the date fixed for redemption to the registered owner of record at the address as shown on the registration books of the Township kept by the Transfer Agent. Bonds shall be called for redemption in multiples of \$5,000, and bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the bonds by \$5,000, and such bonds may be redeemed in part. The notice of redemption for bonds redeemed in part shall state that, upon surrender of the bond to be redeemed, a new bond or bonds in the same aggregate principal amount equal to the unredeemed portion of the bonds surrendered shall be issued to the registered owner thereof with the same interest rate and maturity. No further interest on bonds or portions of bonds called for redemption shall accrue after the date fixed for redemption, whether the bonds have been presented for redemption or not, provided funds are on hand with the Transfer Agent to redeem the bonds or portion thereof.]

Any bond may be transferred by the person in whose name it is registered, in person or by the Registered Owner's duly authorized attorney or legal representative, upon surrender of the bond to the Transfer Agent for cancellation, together with a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any bond is surrendered for transfer, the Transfer Agent shall authenticate and deliver a new bond or bonds, in like aggregate principal amount, interest rate and maturity[, provided, however, that this bond can only be transferred in the denomination of \$100,000 or any integral multiple of \$5,000 in excess of \$100,000]. The Transfer Agent shall require the bondholder requesting the transfer to pay any tax or other governmental charge required to be paid with respect to the transfer. The Transfer Agent shall not be required to issue, register the transfer of, or exchange any bond during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of bonds selected for redemption and ending at the close of business on the day of that mailing.

It is hereby certified and recited that all acts, conditions and things required to be done, exist and happen, precedent to and in the issuance of this bond and the series of bonds of which this is one, in order to make them valid and binding obligations of the Township have been done, exist and have happened in regular and due form and time as provided by law, and that the total indebtedness of the Township, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

[This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.]

IN WITNESS WHEREOF, the Township, by its Township Board, has caused this bond to be signed in its name with the facsimile signatures of its Supervisor and Township Clerk, and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CHARTER TOWNSHIP OF DELTA
County of Eaton, State of Michigan

By [Supervisor to sign bond]
Supervisor

[seal]
Countersigned:

By [Township Clerk to sign bond]
Township Clerk

[STANDARD FORMS OF
TRANSFER AGENT'S CERTIFICATE OF AUTHENTICATION
AND ASSIGNMENT]

4. Escrow Fund. The Huntington National Bank or such other bank or trust company designated by the Authorized Officer is hereby designated to serve as Escrow Agent for the Prior Bonds being refunded. In order to secure payment of the Prior Bonds being refunded, the Township will enter into an Escrow Agreement (the "Escrow Agreement") with the Escrow Agent which shall provide for the creation of a fund designated as the 2015 REFUNDING BONDS ESCROW FUND (the "Escrow Fund"). The Escrow Agreement shall irrevocably direct the Escrow Agent to hold the Escrow Fund in trust for the payment of the principal of and interest on the Prior Bonds being refunded on any date specified by the Township on which the Prior Bonds may be called for redemption. The Authorized Officer is hereby authorized to execute and deliver the Escrow Agreement and to purchase, or cause to be purchased, escrow securities, including, but not limited to, United States Treasury Obligations – State and Local Government Series (SLGS), in an amount sufficient to fund the Escrow Fund.

The Township Treasurer is hereby authorized to transfer monies from the debt retirement fund for the Prior Bonds to the Escrow Fund created under the Escrow Agreement, to be invested as provided in the Escrow Agreement and to be used to pay principal and interest on the Prior Bonds

being refunded. The amount to be transferred under this section shall be an amount which will enable the interest on the Bonds and the Prior Bonds to be, or continue to be, excluded from gross income for federal income tax purposes as determined by bond counsel.

The Authorized Officer shall direct the Transfer Agent for the Prior Bonds to take all necessary steps to call for redemption any Prior Bonds specified by him or her, including mailing of redemption notices.

5. Debt Retirement Fund. The Township Treasurer is authorized and directed to open a separate depository or trust account with a bank or trust company to be designated as the GENERAL OBLIGATION LIMITED TAX REFUNDING BONDS, SERIES 2015 DEBT RETIREMENT FUND (the “Debt Retirement Fund”). The series designation of the Debt Retirement Fund shall be changed if necessary to match the series designation of the Bonds. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. The Debt Retirement Fund may be pooled or combined with other debt retirement funds for issues of bonds of like character as provided by Act 34 or other state law. An amount sufficient to assure timely payment of the principal of and interest on the Bonds shall be transferred each year from the revenues received by the Township from the operations of the water supply and sewage disposal supply system, the general fund of the Township, or other funds legally available therefor into the Debt Retirement Fund. The moneys deposited in the fund shall be used solely for the purpose of paying the principal of and interest on the Bonds and, as may be necessary, to rebate arbitrage earnings, if any, to the United States Department of Treasury as required by the Internal Revenue Code of 1986, as amended (the “Code”). In addition, the accrued interest and premium, if any, received upon delivery of the Bonds may be deposited in the Debt Retirement Fund as provided in Section 6.

In the event cash, or direct obligations of the United States, or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest of the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

6. Deposit of Bond Proceeds. Upon receipt of the proceeds of sale of the Bonds, the accrued interest and premium, if any, shall be deposited in the Debt Retirement Fund and used to pay interest on the Bonds on the first interest payment date, provided, however, that at the discretion of the Authorized Officer in consultation with bond counsel, all or a portion of any premium received upon delivery of the Bonds may be deposited in the Escrow Fund.

There shall be deposited to the Escrow Fund from Bond proceeds monies which shall be invested only as described in the Escrow Agreement and which shall be used by the Escrow Agent solely to pay the principal of and interest on the Prior Bonds being refunded. The amount of Bond proceeds to be deposited to the Escrow Fund shall be an amount which, taken together with amounts transferred to the Escrow Fund from the debt retirement fund for the Prior Bonds, and the investment proceeds to be received from monies in the Escrow Fund, will be sufficient,

without reinvestment, to pay the principal of and interest on the Prior Bonds being refunded as they become due or upon call for redemption prior to maturity.

The remaining proceeds of the Bonds shall be used to pay the costs of issuance of the Bonds. At the option of the Authorized Officer, the costs of the issuance may be paid from a fund established for that purpose in the Escrow Agreement. Any monies remaining after payment of costs of issuance and costs of refunding the Prior Bonds shall be transferred to the Debt Retirement Fund.

7. Tax Covenant. The Township shall not invest, reinvest or accumulate any moneys deemed to be proceeds of the Bonds or the Prior Bonds pursuant to the Code, in such a manner as to cause the Bonds or the Prior Bonds to be “arbitrage bonds” within the meaning of the Code. The Township hereby covenants that, to the extent permitted by law, it shall take all actions within its control and that it shall not fail to take any action necessary to maintain the exclusion of the interest on the Bonds and the Prior Bonds from adjusted gross income for general federal income tax purposes under the Code, including, but not limited to, actions relating to any required rebate of arbitrage earnings, if applicable, and the expenditure of investment of bond proceeds and moneys deemed to be bond proceeds, all as more fully set forth in the Non-Arbitrage and Tax Compliance Certificate to be delivered by the Township with respect to the Bonds.

8. Bank Qualification. The Township hereby designates the Bonds as “qualified tax exempt obligations” for purposes of deduction of interest expense by financial institutions pursuant to the Code.

9. Registered Municipal Advisor. Bendzinski & Co., Municipal Finance Advisors, is hereby retained to act as Municipal Advisor to the Township for the Refunding Bonds

10. Sale of Bonds to be Negotiated. The Township Board hereby determines to sell the Bonds at a negotiated sale instead of a competitive sale for the reason that a negotiated sale will permit the Township to enter the market on short notice at a point in time which appears to be most advantageous, and thereby possibly obtain a lower rate of interest on the Bonds and the most favorable price for purchase of securities to be escrowed for payment of the Prior Bonds to be refunded.

11. Appointment of Placement Agent. The Township names Fifth Third Securities, Inc. (“Fifth Third”) as placement agent to assist the Township in arranging the sale of the Bonds to a financial institution or other purchaser with experience in the municipal bond market. If Fifth Third offers to act as underwriter for Bonds, then the Township Board hereby authorizes the Authorized Officer to name Fifth Third as underwriter for the Bonds in consultation with the Municipal Advisor.

By adoption of this resolution the Township assumes no obligations or liability to Fifth Third or the purchaser of the Bonds for any loss or damage that may result to Fifth Third or the purchaser of the Bonds from the adoption of this resolution, and all costs and expenses incurred by Fifth Third or the purchaser of the Bonds in preparing for sale of the Bonds shall be paid from the proceeds of the Bonds, if the Bonds are issued, except as may be otherwise provided in the purchase agreement or other acceptance of an offer to purchase the Bonds or placement agreement to be signed by the Township at the time of sale of the Bonds.

12. Bond Counsel. The Township hereby requests that Miller, Canfield, Paddock and Stone, P.L.C. continue to serve as bond counsel to the Township for the Bonds. The Township Board

acknowledges that Miller, Canfield, Paddock and Stone, P.L.C., represents Fifth Third and other municipal bond underwriters, banks, and financial institutions in connection with matters unrelated to issuance of the Bonds by the Township.

13. Verification Agent. The Authorized Officer is hereby authorized to select an independent certified public accountant to serve as verification agent to verify that the securities and cash to be deposited to the Escrow Fund will be sufficient to provide, at the times and in the amounts required, sufficient moneys to pay the principal of and interest on the Prior Bonds being refunded as they become due.

14. Offering Circular or Official Statement. The Authorized Officer is authorized to approve circulation of a sales memorandum, offering circular, official statement or other document describing the Township, the Bonds and security for payment of the Bonds. The Authorized Officer is authorized to execute the sales memorandum, offering circular, official statement or other document authorized under this section and deliver it to the purchaser of the Bonds.

15. Municipal Bond Ratings. If the Municipal Advisor recommends that the Township apply for a credit rating, then the Authorized Officer is hereby authorized to apply for bond ratings from such municipal bond rating agencies as deemed appropriate, in consultation with the Municipal Advisor. If the Financial Consultant recommends that the Township sell the Bonds without obtaining a rating, then the Authorized Officer is authorized to request any necessary waivers or approvals from the State of Michigan Department of Treasury. If the Municipal Advisor recommends that the Township consider purchase of municipal bond insurance, then the Authorized Officer is authorized to negotiate with insurers regarding acquisition of municipal bond insurance, to select an insurer, and determine which Bonds, if any, shall be insured.

16. Sale of Bonds - Parameters. The Authorized Officer is hereby authorized, on behalf of the Township, subject to the provisions and limitations of this resolution and in consultation with the Municipal Advisor, to negotiate private placement sale of the Bonds to one or more financial institutions or other purchasers with experience in the municipal bond market, or to negotiate sale of the Bonds to Fifth Third as underwriter, and to accept an offer for purchase of the Bonds without further resolution of this Township Board. This authorization includes, but is not limited to, determination of original principal amount of the Bonds; the prices at which the Bonds are sold; the date of the Bonds; the schedule of principal maturities and whether the Bonds shall mature serially or as term bonds; the provisions for early redemption including mandatory redemption of term bonds, if any; the interest rates and payment dates of the Bonds, selection of the maturities of the Prior Bonds to be refunded; transfer of balances, if any, from the debt retirement fund for the Prior Bonds to the Escrow Fund; purchase of securities for the Escrow Fund, and all other necessary actions. The Authorized Officer is authorized to sign a purchase agreement or other acceptance of an offer to purchase the Bonds on behalf of the Township. If the Bonds are sold through Fifth Third as placement agent, the Authorized Officer is authorized to sign a placement agreement with Fifth Third.

The Bonds shall be sold only if, upon the advice of the Municipal Advisor, refunding all or a portion of the Prior Bonds would accomplish a net savings of debt service costs. If the Bonds are sold at public offering, the Bonds shall be sold at a price not less than 97.50% of the par value of the Bonds. The date of the final maturity of the Bonds shall not be later than May 1, 2025. In

making such determinations the Authorized Officers are authorized to rely upon data and computer runs provided by the Municipal Advisor or Fifth Third.

Approval of the matters delegated to the Authorized Officers under this resolution may be evidenced by execution by the Authorized Officer of the purchase agreement or other acceptance of an offer to purchase the Bonds, placement agreement, the Escrow Agreement, or sales memorandum, offering circular, or official statement.

17. Continuing Disclosure Undertaking. The Authorized Officer is hereby authorized to execute and deliver, prior to delivery of the Bonds, a written continuing disclosure undertaking if required in order to enable the purchasers of the Bonds to comply with the requirements of Rule 15c2-12.

18. Actions by Officers of the Township. The officers, administrators, agents and attorneys of the Township are authorized and directed to take all other actions necessary and convenient to facilitate issuance and sale of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient in accordance with this resolution, and to pay costs of issuance including but not limited to transfer agent fees, escrow agent fees, verification agent fees, municipal advisor fees, bond counsel fees, rating agency fees, placement agent fees, costs of printing the Bonds and the preliminary and final official statements or private placement memorandum or offering circular, publication of notices, and any other costs necessary to accomplish sale and delivery of the Bonds.

19. Conflicting Resolutions. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Township Board of the Charter Township of Delta, County of Eaton, State of Michigan, at a Regular meeting held on Monday, May 18, 2015 at 7:00 p.m., Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____

_____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____

_____ and that the following Members voted
against adoption of said resolution: _____.

Township Clerk

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

XV. MANAGER’S REPORT – Jeff Anderson, Acting Township Manager

Mr. Anderson stated that Delta Township was informed by the Ingham County Road Commission that Michigan Avenue from Waverly to Clare Street will be closed most of the summer of 2015 for reconstruction.

The Days Inn on Saginaw Highway is closed as of Friday, May 15, 2015, and the new owner’s site plan is in process.

Mr. Anderson stated that he has been in discussions recently regarding Dropbox issues with IT Director Dave Marquette and Utility Director Tom Morrissey.

The Engineering Department has been inundated with phone calls regarding weeds and tall grass complaints. In order for Delta Township to be able to enforce a tall grass or weeds complaint, the majority of the lawn must be at least 12 inches high.

Mr. Anderson thanked the Board for his time as Interim Township Manager. Brian Reed will begin his term as Township Manager at the next Board meeting on June 1, 2015.

Trustee Fedewa asked Mr. Anderson if the Township has received any complaints regarding the construction along I-496.

Mr. Anderson stated that the Township has not received any complaints as of May 18, 2015.

XVI. COMMITTEE OF THE WHOLE

12. Closed Session

TREASURER PIZZO MOVED THAT THE TOWNSHIP BOARD ADJOURN TO EXECUTIVE SESSION AT THE REQUEST OF THE TOWNSHIP MANAGER UNDER THE OPEN MEETINGS ACT (ACT 267 OF 1976), SECTION 15.268 (C) TO DISCUSS NEGOTIATION PROGRESS WITH REGARD TO THE COLLECTIVE BARGAINING AGREEMENT WITH THE DELTA TOWNSHIP FIREFIGHTER’S UNION.

TRUSTEE HICKS SUPPORTED THE MOTION.

ROLL CALL:

AYES: SUPERVISOR FLETCHER, CLERK CLARK, TREASURER PIZZO,
TRUSTEE FEDEWA, TRUSTEE HICKS, AND TRUSTEE MOJICA.

NAYS: NONE

ABSENT: TRUSTEE KOSINSKI

THE MOTION PASSED 6-0. TOWNSHIP BOARD MEMBERS BEGAN CLOSED
SESSION AT 6:42 PM.

TRUSTEE HICKS MOVED THAT THE DELTA TOWNSHIP BOARD RETURN TO
OPEN SESSION AT 7:11 PM.

TRUSTEE MOJICA SUPPORTED THE MOTION. THE MOTION PASSED 6-0.

XVII. PUBLIC COMMENTS –

XVIII. ADJOURNMENT –

Supervisor Fletcher adjourned the meeting at 7:11 PM.

CHARTER TOWNSHIP OF DELTA

KENNETH FLETCHER, SUPERVISOR

MARY R. CLARK, TOWNSHIP CLERK